

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BYRON ARNOLD, et al,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT FEDERAL  
TORT CLAIMS CENTER,

Defendants.

Case No. 1:24-cv-01388-KES-BAM

**ORDER GRANTING PLAINTIFFS'  
APPLICATION TO PROCEED WITHOUT  
PREPAYMENT OF FEES OR COSTS**

**ORDER DENYING PLAINTIFF KIMBLY  
ARNOLD'S ORIGINAL APPLICATION  
TO PROCEED WITHOUT PREPAYMENT  
OF FEES OR COSTS AS MOOT**

(Docs. 2, 4, 5)

Plaintiffs Byron Arnold and Kimbly Arnold, proceeding *pro se*, filed this civil action on November 13, 2024. (Doc. 1.) The same day, Plaintiff Kimbly Arnold filed an application to proceed *in forma pauperis* ("IFP"). (Doc. 2.) However, as there were deficiencies with Plaintiff Kimbly Arnold's IFP application and Plaintiff Byron Arnold had not filed an IFP application, the Court directed Plaintiffs to each file a new and separate application. (Doc. 3.)

Plaintiff Byron Arnold filed an IFP application on December 3, 2024. (Doc. 4.) Plaintiff Kimbly Arnold filed an amended IFP application on December 11, 2024, which noted that the income she received was monthly. (Doc. 5.) Plaintiffs have made the showing required by section 1915(a), and accordingly, Plaintiffs' request to proceed *in forma pauperis* (Docs. 4, 5) will be **GRANTED**. 28 U.S.C. § 1915(a). Plaintiff Kimbly Arnold's earlier request to proceed

1 *in forma pauperis* (Doc. 2) is **DENIED** as moot.

2 Plaintiff is advised that the Court is required to screen complaints of *pro se* litigants  
3 proceeding *in forma pauperis* pursuant to Title 28 of the United States Code section 1915(e)(2).  
4 The Court must dismiss a complaint or portion thereof if the action is legally “frivolous or  
5 malicious,” fails to state a claim upon which relief may be granted, or seeks monetary relief  
6 against a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B). As a result, no  
7 summons will issue at this time. The Court will direct the United States Marshal to serve  
8 Plaintiff’s complaint only after the Court has screened the complaint and determined that it  
9 contains cognizable claims for relief against the named defendant. The Court will screen  
10 Plaintiff’s complaint in due course.

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12 IT IS SO ORDERED.

13 Dated: December 13, 2024

14 /s/ Barbara A. McAuliffe  
15 UNITED STATES MAGISTRATE JUDGE  
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